

Cherokee County Planning Commission
Public Hearing Minutes
Tuesday, April 2, 2013
7:00 p.m.

Revised
Approved 5-7-2013

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, April 2, 2013 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Planning Commission were Chairman Bob Whitaker, members Thais Escondo, Joe Long, Richard Weatherby, Dr. Rick Whiteside, Garland Stewart, Betty Callahan, Scott Barnes and Tom Hill. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Tamala Davis, Planning Technician.

Chairman Bob Whitaker called the meeting to order at 7:00 p.m.

Since the applicant for Case #13-03-002 was not in attendance yet, Ms. Lee requested to change the order of the agenda to hear Case #13-04-003 first. The Board was in agreement.

First case, **Case #13-04-003 Homer and Jo Anne Whitmore** requesting to rezone 5.123 +/- acres from RA and R-15 to AG. If rezoned, the properties will be utilized for continued residential uses. The properties owned by Homer and Jo Anne Whitmore are located at 278 and 288 Steels Bridge Road. In Land Lots 291 and 358 of the 15th District, 2nd Section of Cherokee County, Georgia and indicated as Parcels 069 and 070 on Tax Map 15N02.

Ms. Lee presented this case. Ms. Lee discussed staff comments, location, prior rezone, surrounding zoning and uses. She stated she received no letters of support or opposition.

Homer Whitmore represented this case. Mr. Whitmore stated the current zoning does not allow any use but attached residential and he cannot do anything with it the way it is currently zoned. He stated he is requesting to rezone back to the original AG zoning.

Mr. Whitaker asked if there was anyone to speak in support or opposition, there was none.

Mr. Stewart stated if this property was to be rezoned back to AG this property should have to comply with the chicken ordinance and restrictions on raising cows and pigs. He stated if they were to have horses they should comply with the R-80 zoning district. Mr. Stewart stated that these 2 parcels would have to remain together to meet the lot width requirements for AG zoning and meet the stream bank buffer requirements. He stated this is primarily due to the residential zoning surrounding these properties.

Ms. Escondo stated this would put restrictions on these parcels only and the adjoining AG properties would be unrestricted. She stated she feels the surrounding neighbors would be happier with AG than a multi-family and would hate to put restrictions on this property.

Mr. Whitaker closed the public hearing.

Ms. Escondo made a motion to approve the application. Seconded by Mr. Hill.

Ms. Escondo asked staff for clarification on stream bank buffer requirements.

Ms. Lee stated this is vacant property and we would ask them to adhere to the full stream bank buffer requirements.

Dr. Whiteside stated for legitimate agricultural uses these buffers are not required to be maintained, they are exempt. He stated you can pasture them, clear them, grow crops or harvest timber. He stated he doesn't think the County can put buffer requirements on this property if they are using it for agricultural purposes.

Ms. Lee stated these parcels are somewhat limited on how they can be used agriculturally due to their shape and size. They are requesting AG since this is what they were previously zoned and since it is consistent with surrounding parcels. She stated this is why staff recommended they go back to the original zoning.

Ms. Escondo asked could they put an accessory building in this stream bank buffer. Ms. Lee stated, no.

Motion passed 8-1. Mr. Stewart opposed.

Next case, **Case #13-03-002 Jimmy Waldrop** requesting to rezone 7.5 +/- acres from RA and R-15 to AG. If rezoned, the properties will be utilized for continued residential uses. The properties owned by Jimmy and Diane Waldrop are located at 226 and 258 Steels Bridge Road in Land Lots 291 and 358 of the 15th District, 2nd Section of Cherokee County, Georgia and indicated as Parcels 067 and 068 on Tax Map 15N02.

Ms. Lee presented this case. Ms. Lee discussed staff comments, location, prior rezone, surrounding zoning and uses. She stated she received no letters of support or opposition.

Jimmy Waldrop represented this case. He stated he would like to rezone his property back to agricultural so if he did want to sell in the future, it would be easier than what it is currently zoned. Mr. Waldrop also stated he would like to put a garden on his property.

Ms. Waldrop came forward and stated they cannot do what they want with their property anymore. They possibly would like to build a cabin on the 5 acres in the future and cannot do so with the current zoning.

Mr. Whitaker asked if there was anyone to speak in support or opposition, there being none, he closed the public hearing.

Mr. Barnes made a motion to approve. Seconded by Dr. Whiteside. Motion passed 8-1. Mr. Stewart opposed.

Ms. Callahan made a motion to approve the March 5, 2013 Minutes. Seconded by Mr. Barnes. Unanimous approval.

Mr. Whitaker stated there will be a work session meeting April 15, 2013 to review May cases.

Mr. Hill made a motion to adjourn. Seconded by Ms. Callahan. Meeting adjourned at 7:23 p.m.